

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

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| In re: | : | MDL Docket No. 4:03CV1507-WRW |
| | : | 4:05CV00163 |
| PREMPRO PRODUCTS LIABILITY LITIGATION | : | |
| | : | |
| | : | |
| LINDA REEVES | : | PLAINTIFF |
| | : | |
| v. | : | |
| | : | |
| WYETH | : | DEFENDANT |

ORDER

Pending are Plaintiff's Motion to Compel the Appearance at Trial of Wyeth's Corporate Representatives Michael Dey and Justin Victoria (Doc. No. 256), Plaintiff's Motion *in Limine* No. 39 to Exclude References to Dr. Gueriguan's Confrontation with Warner Lambert Company and its Drug Rezulin (Doc. No. 265), and Defendant's Motion for Reconsideration Re: Plaintiff's Motion *in Limine* 25 -- Oral Contraceptive Use (Doc. No. 283).

A. Plaintiff's Motion to Compel Appearance

Plaintiff's Motion to Compel the Appearance at Trial of Wyeth's Corporate Representatives Michael Dey and Justin Victoria (Doc. No. 256) is GRANTED.¹ Plaintiff's counsel are directed to be reasonably accommodating to these individuals insofar as their appearance at trial is concerned (as an example, I assume Plaintiff's counsel does not intend to have them in the courthouse in Little Rock for the entire trial).

¹See *American Federation of Government Employees Local 922 v. Ashcroft*, 354 F. Supp. 2d 909 (E.D. Ark. 2003); *In Re Vioxx Products Liability Litigation*, 2:05-MD-01657-EEF, 2006 WL 2037349 (E.D. La. Jul. 21, 2006).

B. Plaintiff's Motion *in Limine* No. 39

Plaintiff's Motion *in Limine* No. 39 to Exclude References to Dr. Gueriguian's Confrontation with Warner Lambert Company and its Drug Rezulin (Doc. No 265) is DENIED.

C. Defendant's Motion for Reconsideration

Defendant's Motion for Reconsideration Re: Plaintiff's Motion *in Limine* 25 -- Oral Contraceptive Use (Doc. No. 283) is DENIED. The exclusion of this evidence is bottomed upon FRE 403, not FRE 402.

I assume that Defendant has no evidence that Plaintiff was specifically warned about the risks associated with oral contraceptives.

IT IS SO ORDERED this 28th day of July, 2006.

/s/ Wm. R. Wilson, Jr. _____
UNITED STATES DISTRICT JUDGE